

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON PUBLIC HEALTH, WELFARE AND SAFETY**

**Call to Order:** Chair David Howard, on February 20, 2017 at 3:00 PM, in Room 317 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. David Howard, Chair (R)  
Sen. Cary Smith, Vice Chair (R)  
Sen. Mary Caferro (D)  
Sen. Jen Gross (D)  
Sen. Steve Hinebaugh (R)  
Sen. Frederick (Eric) Moore (R)  
Sen. Albert Olszewski (R)  
Sen. Diane Sands (D)  
Sen. Jason D. Small (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Julie Emge, Committee Secretary  
Alexis Sandru, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SR 38, 2/17/2017; SB 271, 2/17/2017; SB 283, 2/17/2017;  
SB 300, 2/18/2017

Executive Action: SB 104 - DO PASS AS AMENDED  
SB 145 - DO PASS AS AMENDED  
SB 198 - DO PASS  
SB 199 - DO PASS  
SB 228 - DO PASS  
SB 233 - DO PASS  
SB 271 - DO PASS

Vice Chair C. Smith took over as Chair.

**HEARING ON SR 38**

**Opening Statement by Sponsor:**

00:01:18 Sen. David Howard (R), SD 29, opened the hearing on SR 38, Confirm Governor's appointees to Board of Public Assistance.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:02:16 Sen. Sands  
00:03:26 Sen. Caferro  
00:03:47 Sen. Gross  
00:03:59 Sen. Caferro

**Closing by Sponsor:**

00:04:17 Sen. Howard

Chair Howard resumed the role as Chair.

**HEARING ON SB 271**

**Opening Statement by Sponsor:**

00:04:54 Sen. Fred Thomas (R), SD 44, opened the hearing on SB 271, Revise laws related to the closure of the Montana Developmental Center.

[EXHIBIT\(phs37a01\)](#)

[EXHIBIT\(phs37a02\)](#)

[EXHIBIT\(phs37a03\)](#)

**Proponents' Testimony:**

00:16:45 Sen. Mary Caferro, SD 41

[EXHIBIT\(phs37a04\)](#)

00:21:53 Lori Jaschek, representing herself

[EXHIBIT\(phs37a05\)](#)

00:26:18 Bernadette Franks-Ongoy, executive director, Disability Rights Montana

[EXHIBIT\(phs37a06\)](#)

00:29:02 Charlie Briggs, representing himself; member, MDC Transition Advisory Council  
00:35:41 Ken Brown, director of services, Opportunity Resources; member, Montana Association of Disability Services; also speaking on behalf of Travis Hoffman, Montana Centers for Independent Living  
00:37:49 Eve Franklin, Montana Association of Disability Services  
00:39:39 Beth Brennenman, Disability Rights Montana  
00:41:16 Kelsen Young, Montana Coalition Against Domestic Sexual Abuse and Violence

**Opponents' Testimony:**

00:41:55 Dan Villa, budget director, Office of Budget and Program Planning

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:54:02 Sen. Hinebauch  
00:54:46 Sen. Caferro

**Closing by Sponsor:**

00:56:26 Sen. Thomas  
[EXHIBIT](#)(phs37a07)

**HEARING ON SB 283**

**Opening Statement by Sponsor:**

01:06:04 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 283, Revise the Montana rural physician incentive program.

**Proponents' Testimony:**

01:08:09 Tyler Trevor, deputy commissioner, Office of the Commissioner of Higher Education  
01:08:29 Dick Brown, president, Montana Hospital Association  
01:10:26 Mike Foster, Catholic Hospitals of Montana; Billings Clinic  
01:11:14 Abigail St. Lawrence, Montana Association of Naturopathic Physicians  
01:12:05 Jean Branscum, chief executive officer, Montana Medical Association  
01:13:59 Stacey Anderson, Montana Primary Care Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:14:36 Sen. Moore  
01:15:01 Sen. Olszewski

**Closing by Sponsor:**

01:15:22 Sen. Olszewski

**HEARING ON SB 300**

**Opening Statement by Sponsor:**

01:15:44 Sen. Diane Sands (D), SD 49, opened the hearing on SB 300, Require health warning for raw milk sales.

[\*\*EXHIBIT\(phs37a08\)\*\*](#)

**Proponents' Testimony:**

01:17:54 Erin McGowan, Association of Montana Public Health Officials; Montana Public Health Association; Montana Environmental Health Association

**Opponents' Testimony:**

01:19:21 Jeanne Rankin, veterinarian; president, Montana Veterinarian Medical Association

[\*\*EXHIBIT\(phs37a09\)\*\*](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:21:31 Sen. Moore  
01:22:27 Alexis Sandru, Legislative Services Division  
01:22:35 Sen. C. Smith  
01:22:58 Sen. Sands

**Closing by Sponsor:**

01:23:17 Sen. Sands

**Committee Business:**

01:23:42 Chair Howard  
01:25:01 Sen. C. Smith  
01:25:21 Chair Howard  
01:25:43 Sen. Hinebauch  
01:25:49 Chair Howard  
01:26:11 Sen. C. Smith  
  
01:26:16 Recess  
01:50:55 Reconvened

**EXECUTIVE ACTION ON SB 104**

01:51:20 **Motion:** Sen. Sands moved that **SB 104 DO PASS.**

01:51:30 **Motion/Vote:** Sen. Sands moved that **SB 104 BE AMENDED.** Motion carried unanimously by voice vote.

**EXHIBIT**(phs37a10)

01:52:51 **Motion/Vote:** Sen. Sands moved that **SB 104 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 145**

**Discussion:**

01:53:13 Sen. C. Smith  
01:53:36 Sen. Sands  
01:53:48 Sen. Moore  
01:53:57 Chair Howard  
01:54:09 Sen. Moore  
01:54:15 Caferro

01:54:33 **Motion:** Sen. C. Smith moved that **SB 145 DO PASS.**

01:55:26 **Motion:** Sen. C. Smith moved that **SB 145 BE AMENDED.**  
**EXHIBIT**(phs37a11)

**Discussion:**

01:55:46 Chair Howard  
01:55:56 Alexis Sandru, Legislative Services Division (LSD)  
01:58:36 Sen. Moore  
02:00:24 Ms. Sandru, LSD  
02:00:52 Chair Howard  
02:00:59 Sen. Moore  
02:01:32 Ms. Sandru  
02:02:08 Sen. Sands  
02:02:30 Chair Howard  
02:02:36 Sen. Caferro  
02:02:40 Sen. Moore  
02:02:47 Sen. Caferro

02:04:05 **Vote:** Motion carried unanimously by voice vote.

02:04:14 **Motion:** Sen. C. Smith moved that **SB 145 DO PASS AS AMENDED.**

**Discussion:**

02:04:26 Sen. Gross

02:07:27 Sen. C. Smith  
02:08:20 Sen. Caferro  
02:09:12 Sen. Sands  
02:09:32 Sen. Gross

02:10:26 **Motion/Vote:** Sen. C. Smith moved that **SB 145 DO PASS AS AMENDED**.  
Motion carried 8-1 by voice vote with Sen. Gross voting no.

**EXECUTIVE ACTION ON SB 198**

02:10:58 **Motion/Vote:** Sen. Caferro moved that **SB 198 DO PASS**. Motion carried  
unanimously by voice vote.

**EXECUTIVE ACTION ON SB 199**

02:13:01 **Motion:** Sen. Caferro moved that **SB 199 DO PASS**.

**Discussion:**

02:14:59 Sen. C. Smith  
02:15:30 Sen. Caferro  
02:15:54 Sen. Moore  
02:15:59 Sen. Caferro

02:16:05 **Vote:** Motion carried 7-2 by voice vote with Sen. Hinebauch and Sen. Howard  
voting no.

**EXECUTIVE ACTION ON SB 228**

02:16:35 **Motion:** Sen. C. Smith moved that **SB 228 DO PASS**.

**Discussion:**

02:17:01 Sen. Sands

02:18:12 **Vote:** Motion carried 6-3 by roll call vote with Sen. Hinebauch, Sen. Moore and  
Sen. C. Smith voting no.

**EXECUTIVE ACTION ON SB 233**

02:19:56 **Motion:** Sen. Caferro moved that **SB 233 DO PASS**.  
[EXHIBIT\(phs37a12\)](#)

**Discussion:**

02:20:016 Sen. Caferro  
02:21:29 Sen. Sands  
02:21:59 Sen. C. Smith

02:22:45 **Vote:** Motion carried 7-2 by roll call vote with Sen. Hinebauch and Sen. Howard voting no.

**EXECUTIVE ACTION ON SB 271**

02:23:48 **Motion:** Sen. C. Smith moved that **SB 271 DO PASS.**

**Discussion:**

02:24:05 Sen. Caferro  
02:25:01 Sen. Hinebauch  
02:25:26 Sen. Caferro  
02:25:40 Sen. C. Smith  
02:25:56 Sen. Moore  
02:26:09 Chair Howard

02:26:37 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 283**

02:27:09 **Motion/Vote:** Sen. Olszewski moved that **SB 283 DO PASS.** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 300**

**Discussion:**

02:27:44 Sen. Sands  
02:28:4 Alexis Sandru, Legislative Services Division (LSD)  
02:28:19 Sen. Sands

02:28:29 **Motion:** Sen. Sands moved that **SB 300 DO PASS.**

**Discussion:**

02:28:33 Sen. Moore  
02:28:44 Sen. Sands  
02:28:53 Sen. C. Smith

02:29:33 **Vote:** Motion carried 6-3 by roll call vote with Sen. Hinebauch, Sen. Howard and Sen. C. Smith voting no.

**EXECUTIVE ACTION ON SB 133**

02:30:26 **Motion:** Sen. Sands moved that **SB 133 BE REMOVED FROM TABLE.**

**Discussion:**

02:30:47 Sen. C. Smith

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02:30:50 Sen. Sands  
02:30:54 Sen. C. Smith  
02:30:59 Sen. Gross  
02:31:09 Sen. Sands  
02:31:39 Sen. C. Smith  
02:31:58 Sen. Sands  
02:32:44 Chair Howard

02:32:56 **Vote:** Motion failed 4-5 by roll call vote with Sen. Caferro, Sen. Gross, Sen. Olszewski and Sen. Sands voting aye.

**Committee Business:**

02:33:50 Sen. Sands  
02:33:55 Sen. Smith  
02:34:12 Sen. Olszewski



**ADJOURNMENT**

Adjournment: 5:43 PM

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Julie Emge, Secretary

**Additional Document**

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Additional Documents:

**EXHIBIT([phs37aad.pdf](#))**